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PATENT
Attorney Docket No. 02887.0270-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
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Tadashi MITSUI) Group Art Unit: 2624
)
Application No.: 10/807,187) Examiner: David RASHID
)
Filed: March 24, 2004) Confirmation No.: 3737
)
For: PATTERN MEASURING)
APPARATUS, PATTERN)
MEASURING METHOD, AND)
MANUFACTURING METHOD OF)
SEMICONDUCTOR DEVICE)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicant brings to the attention of the Examiner the document on the attached listing. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a final Office Action, Quayle action, or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement is accompanied by the required fee of \$180.00 as specified by Section 1.17(p).

A copy of the listed foreign document is enclosed. An English-language Abstract of this document is also enclosed for the Examiner's convenience.

Applicant respectfully requests that the Examiner consider the listed document and indicate it was considered by making an appropriate notation on the attached form.

The following is a concise statement of relevance of the non-English language document listed on the accompanying PTO SB/08 form: The relevance of JP 2001-294209 is discussed at page 13 of the Specification of the present application.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed document is material or constitutes "prior art." If the Examiner applies the document as prior art against any claim in the application and Applicant determines that the cited document does not constitute "prior art" under United States law, Applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of the document.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed document, should the document be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: February 22, 2008

By: 

Reece Nienstadt
Reg. No. 52,072